

AUG 24 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

EDUARDO FLORES JIMENEZ; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-76549

Agency Nos. A75-766-073
A75-755-074
A78-112-286

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 21, 2006**

Before: GOODWIN, REINHARDT, and BEA, Circuit Judges.

Eduardo Flores Jimenez (“Eduardo”), his wife Guillermina Haro
Castellanos (“Guillermina”), and their son Eduardo Flores Haro (“Eduardo Jr.”),
all natives and citizens of Mexico, petition pro se for review of the Board of

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

Immigration Appeals’ orders adopting and affirming an immigration judge’s denial of their applications for cancellation of removal. We lack jurisdiction to review the Board’s discretionary determination that Eduardo and Guillermina failed to establish the necessary “exceptional and extremely unusual hardship” to a qualifying relative. 8 U.S.C. § 1252(a)(2)(B)(i); *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 929-30 (9th Cir. 2005). Petitioners’ contention that the Board failed “to take into consideration all of the factors bearing on exceptional and extremely unusual hardship in the aggregate” is not a colorable constitutional or legal claim over which we have jurisdiction. *Id.* at 930 (“[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.”).¹

PETITION FOR REVIEW DISMISSED.

¹Petitioners do not challenge the Board’s decision that the immigration judge correctly denied Eduardo Jr.’s application on the basis that he did not have a qualifying relative.